

[Calendar No., 97.]

57TH CONGRESS,
1ST SESSION.

S. 569.

[Report No. 82.]

IN THE SENATE OF THE UNITED STATES.

DECEMBER 4, 1901.

Mr. NELSON introduced the following bill; which was read twice and referred to the Committee on Commerce.

JANUARY 9, 1902.

Reported by Mr. NELSON, with amendments.

JANUARY 22, 1902.

Ordered printed as agreed to in Committee of the Whole.

[Omit the part struck through and insert the part printed in italics.]

A BILL

To establish the Department of Commerce.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That there shall be at the seat of government an executive
4 department to be known as the Department of Commerce, and
5 a secretary of commerce who shall be the head thereof, who
6 shall be appointed by the President, by and with the advice
7 and consent of the Senate, who shall receive a salary of eight
8 thousand dollars per annum, and whose term and tenure of
9 office shall be like that of the heads of the other Executive
10 Departments; and section one hundred and fifty-eight of the

1 Revised Statutes is hereby amended to include such depart-
2 ment, and the provisions of title four of the Revised Statutes,
3 including all amendments thereto, are hereby made applicable
4 to said department.

5 SEC. 2. That there shall be in said department an as-
6 sistant secretary of commerce, to be appointed by the Presi-
7 dent, by and with the advice and consent of the Senate, who
8 shall receive a salary of four thousand dollars a year. He
9 shall perform such duties as shall be prescribed by the secre-
10 tary or required by law. There shall also be one chief clerk
11 and a disbursing clerk, and such other clerical assistants as
12 may from time to time be authorized by Congress, and the
13 Auditor for the State and other Departments shall receive all
14 accounts accruing in or relative to the Department of Com-
15 merce and examine the same, and thereafter certify the bal-
16 ance and transmit the accounts, with the vouchers and cer-
17 tificate, to the Comptroller of the Treasury for his decision
18 thereon.

19 SEC. 3. That it shall be the province and duty of said
20 department to foster, promote, and develop the foreign and
21 domestic commerce, the mining, manufacturing, shipping, and
22 fishery industries, the labor interests, and the transportation
23 facilities of the United States; and to this end it shall be
24 vested with jurisdiction and control of the departments, bu-
25 reaus, offices, and branches of the public service hereinafter

1 specified, and with such other powers and duties as may be
 2 prescribed by law.

3 SEC. 4. That the following-named offices, bureaus, divi-
 4 sions, and branches of the public service, now and heretofore
 5 under the jurisdiction of the Department of the Treasury, and
 6 all that pertains to the same, known as the Life-Saving Serv-
 7 ice, the Light-House Board, and the Light-House Service, the
 8 Marine-Hospital Service, the Steamboat-Inspection Service,
 9 the Bureau of Navigation and the United States Shipping
 10 Commissioners, the Bureau of Immigration, *and* the Bureau of
 11 Statistics, be, and the same hereby are, transferred from the
 12 Department of the Treasury to the department of commerce,
 13 and the same shall hereafter remain under the jurisdiction and
 14 supervision of the last-named department; and ~~that the Census~~
 15 ~~Office, the Patent Office, and all that pertains to the same, be,~~
 16 ~~and the same hereby are, transferred from the Department of~~
 17 ~~the Interior to the department of commerce, to remain hence-~~
 18 ~~forth under the jurisdiction of the latter; that~~ [the Depart-
 19 ment of Labor,*] and the office of Commissioner of Fish and
 20 Fisheries, and all that pertains to the same, be, and the
 21 same hereby are, placed under the jurisdiction and made a
 22 part of the department of commerce; that the Bureau of
 23 Foreign Commerce, now in the Department of State, be, and
 24 the same hereby is, transferred to the department of com-

* Pending.

1 merce and consolidated with and made a part of the Bureau
 2 of Statistics, hereinbefore transferred from the Department of
 3 the Treasury to the department of commerce, ~~and the chief~~
 4 ~~of said Bureau of Foreign Commerce shall be the assistant~~
 5 ~~chief of the said Bureau of Statistics; and the two shall con-~~
 6 *stitute one bureau, to be called the bureau of statistics, with*
 7 *a chief of the bureau and one assistant* [and it shall be the
 8 duty of said Bureau, under the direction of the secretary,
 9 in addition to the duties now prescribed by law, to gather,
 10 compile, classify, and publish statistical information showing
 11 the condition of the foreign and domestic commerce, of the
 12 mining, manufacturing, shipping, and fishery industries, and
 13 of the transportation facilities of the United States*].

14 That the official records and papers now on file in and
 15 pertaining exclusively to the business of any bureau, office, de-
 16 partment, or branch of the public service in this Act transferred
 17 to the department of commerce, together with the furniture now
 18 in use in such bureau, office, department, or branch of the
 19 public service, shall be, and hereby are, transferred to the
 20 department of commerce.

21 SEC. 5. That there shall be in the department of com-
 22 merce a bureau to be called the bureau of manufactures, and
 23 a chief of said bureau, who shall be appointed by the Presi-
 24 dent, by and with the advice and consent of the Senate, and

*Pending.

1 who shall receive a salary of three thousand dollars per
2 annum. There shall also be in said bureau one chief clerk
3 and such other clerical assistants as may from time to time
4 be authorized by Congress. It shall be the province and
5 duty of said bureau, under the direction of the secretary
6 to foster, promote, and develop the various manufacturing
7 industries of the United States, and markets for the same
8 at home and abroad domestic and foreign, by gathering,
9 compiling, publishing, and supplying all available and
10 useful information concerning such industries and such
11 markets, and by such other methods and means as may be
12 prescribed by the secretary or provided by law. And all
13 consular officers of the United States, including consul-
14 generals, consuls, and commercial agents, are hereby required,
15 and it is made a part of their duty, under the direction of
16 the Secretary of State, to gather and compile, from time to
17 time, ~~upon the request of the secretary of commerce,~~ useful
18 and material information and statistics in respect to the com-
19 merce, industries, and markets of the countries and places to
20 which such consular officers are accredited, and to send, under
21 the direction of the Secretary of State, reports quarterly, or
22 oftener if required, of the information and statistics thus
23 gathered and compiled, to the secretary of the department of
24 commerce.

25 SEC. 6. That the jurisdiction, supervision, and control now

1 possessed and exercised by the Department of the Treasury
2 over Chinese immigration, and over the fur-seal, salmon, and
3 other fisheries in Alaska, be, and the same hereby is, trans-
4 ferred to and vested in the department of commerce.

5 SEC. 7. That the secretary of commerce shall annually,
6 at the close of each fiscal year, make a report in writing to
7 Congress, giving an account of all moneys received and dis-
8 bursed by him and his department, and describing the work
9 done by the department in fostering, promoting, and develop-
10 ing the foreign and domestic commerce, the mining, manu-
11 facturing, shipping, and fishery industries, and the transpor-
12 tation facilities of the United States, and making such rec-
13 ommendations as he shall deem necessary for the effective
14 performance of the duties and purposes of the department.
15 He shall also, from time to time, make such special investi-
16 gations and reports as he may be required to do by the Presi-
17 dent, or by either House of Congress, or which he, himself,
18 may deem necessary and urgent.

19 SEC. 8. That the secretary of commerce shall have
20 charge, in the buildings or premises occupied by or appro-
21 priated to the department of commerce, of the library, fur-
22 niture, fixtures, records, and other property pertaining to it,
23 or hereafter acquired for use in its business; and he shall be
24 allowed to expend for periodicals and the purposes of the
25 library, and for the rental of appropriate quarters for the

1 accommodation of the department of commerce within the
2 District of Columbia, and for all other incidental expenses,
3 such sums as Congress may provide from time to time: *Pro-*
4 *vided, however,* That where any office, bureau, or branch of
5 the public service transferred to the department of commerce
6 by this Act is occupying rented buildings or premises, it may
7 still continue to do so until other suitable quarters are
8 provided for its use: *And provided further,* That all officers,
9 clerks, and employees now employed in any of the bureaus,
10 offices, departments, or branches of the public service in this
11 Act transferred to the department of commerce are each and
12 all hereby transferred to said department at their present
13 grades and salaries, except where otherwise provided in this
14 ~~Act, and they shall continue in office and employment as if~~
15 ~~appointed under this Act until otherwise provided by law:~~
16 *And provided further,* That all laws prescribing the work and
17 defining the duties of the several bureaus, offices, departments,
18 or branches of the public service by this Act transferred to
19 and made a part of the department of commerce shall, so far
20 as the same are not in conflict with the provisions of this
21 Act, remain in full force and effect until otherwise provided
22 by law.

23 SEC. 9. That all power and authority heretofore pos-
24 sessed or exercised by the head of any Executive Department
25 over any bureau, office, branch, or division of the public serv-

1 ice, by this Act transferred to the department of commerce,
2 or any business arising therefrom or pertaining thereto,
3 whether of an appellate or revisory character, or otherwise
4 shall hereafter be vested in and exercised by the head of the
5 said department of commerce. And all Acts or parts of
6 Acts inconsistent with this Act are, so far as so inconsistent,
7 hereby repealed.

8 *SEC. 10. A person, to be designated by the Secretary*
9 *of State, shall be appointed to formulate under his direction*
10 *for the instruction of consular officers the requests of the*
11 *secretary of commerce, and to prepare from the dispatches*
12 *of consular officers, for transmission to the secretary of*
13 *commerce, such information as pertains to the work of the*
14 *Department of Commerce, and such person shall have the*
15 *rank and salary of a chief of bureau, and be furnished with*
16 *such clerical assistance as may be deemed necessary by the*
17 *Secretary of State.*

18 *SEC. 11.* This Act shall take effect and be in force
19 from and after its passage

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